

and the equitable interest of the applicant/holder or of the United States.

(c) The State Director may consider a reduction or waiver of fees under this section in determining reimbursable costs made under §2808.3 of this title. Said determination is a final decision for purposes of appeal under §2804.1 of this title. Where an appeal is filed, actions pending decision on appeal shall be in accordance with §2808.6 of this title.

(d) Notwithstanding a finding by the State Director that there is a basis for reduction of the costs required to be reimbursed under this subpart, the State Director may not reduce such costs if funds to process the application(s) or to monitor the grant(s) or permit(s) are not otherwise available or may delay such decision pending the availability of funds.

[52 FR 25808, July 8, 1987; 52 FR 34456, Sept. 11, 1987]

§ 2808.6 Action pending decision on appeal.

(a) Where an appeal is filed on an application determined under §2808.2-2(a) of this title to be in Categories I through IV, an application shall not be accepted for processing without payment of the fee for such application according to the category determined by the authorized officer; however, when payment is made, the application may be processed and, if proper, the grant or temporary use permit issued. The authorized officer shall make any refund or other adjustment directed as a result of an appeal.

(b) Where an appeal is filed for an application determined under §2808.2-2(a) of this title to be in Category V or for a related cost reimbursement determination under §2808.3-1 (e) through (g) or §2808.5(c) of this title, processing of the application shall be suspended pending the outcome of the appeal.

[52 FR 25808, July 8, 1987; 52 FR 36576, Sept. 30, 1987]

PART 2810—TRAMROADS AND LOGGING ROADS

Subpart 2812—Over O. and C. and Coos Bay Revested Lands

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